

¹ In all cases in which a representative has been authorized in a matter before the Board, no claim for a fee for legal or other service performed on an appeal before the Board is valid unless approved by the Board. 20 C.F.R. § 501.9(e). No contract for a stipulated fee or on a contingent fee basis will be approved by the Board. *Id.* An attorney or representative's collection of a fee without the Board's approval may constitute a misdemeanor, subject to fine or imprisonment for up to one year or both. *Id.*; *see also* 18 U.S.C. § 292. Demands for payment of fees to a representative, prior to approval by the Board, may be reported to appropriate authorities for investigation.

related and that her injuries were “consistent with’ the increased activity associated with beginning work as a mail carrier.” He further stated that the rapid increased activity level and stress exceeds the bone modulus above the normal remodeling and healing and leads to a stress reaction and stress fracture. The Director concluded that although Dr. Gegenheimer’s opinion is insufficient to establish her claim, it is supportive and is not contradicted. Consequently, he requested that the Board set aside OWCP’s August 11, 2021 decision and remand the case to enable OWCP to further develop the claim. On remand the Director advised that it would provide Dr. Gegenheimer with a statement of accepted facts and request a detailed rationalized medical opinion, followed by further development of the claim.

The Clerk of the Appellate Boards served appellant and counsel with a copy of the Director’s motion to remand on January 5, 2022. No response was received within the time allotted.

The Board, having duly considered the matter, concludes that, for the reasons espoused by the Director in his motion to remand, said motion should be granted. Following the development described by the Director on remand and any such other development, OWCP shall issue a *de novo* decision on appellant’s claim. Accordingly,

IT IS HEREBY ORDERED THAT the motion to remand filed by the Director of the Office of Workers’ Compensation Programs is granted. The August 11, 2021 decision of OWCP is set aside; the case is remanded for further proceedings consistent with this order of the Board.

Issued: May 12, 2022
Washington, DC

Alec J. Koromilas, Chief Judge
Employees’ Compensation Appeals Board

Patricia H. Fitzgerald, Deputy Chief Judge
Employees’ Compensation Appeals Board

Valerie D. Evans-Harrell, Alternate Judge
Employees’ Compensation Appeals Board